

To: Videtich, Callie[Videtich.Callie@epa.gov]
From: Morales, Monica
Sent: Mon 8/22/2016 9:44:53 PM
Subject: FW: Upcoming Tribal Consultations

Hi Cal – Please see the Air Program’s upcoming or potential upcoming tribal consultations.

Monica S. Morales

Acting Director, Air Program (8P-AR)

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From: Olson, Kyle
Sent: Monday, August 22, 2016 2:51 PM
To: Morales, Monica <Morales.Monica@epa.gov>
Cc: Jackson, Scott <Jackson.Scott@epa.gov>
Subject: Upcoming Tribal Consultations

Monica,

In response to TAP’s request for potential tribal consultations I have compiled the following information:

U&O Permit Letter

Regional contact: Claudia Smith

Subject area for consultation: Permits

Tribe/Tribes to be consulted: Ute Indian Tribe

Timeframe for consultation: The Notification of Consultation and Coordination Letter was sent on July 18, 2016, with a request for response within 30 days of receipt of letter to request EPA to initiate Tribal Consultation. That 30 day timeline has passed, although the Tribe could technically request consultation at any time.

Other pertinent information: The “Notification of Consultation and Coordination with Respect to the Issuance of Air Pollution Control Permit Pursuant to the Tribal Minor New Source Review (MNSR) Permit Program for an Existing Natural Gas Compressor Station on the Uintah and Ouray Indian Reservation” letter in concerned with MNSR Permit Program at 40 CFR Part 49, owner and operator Questar Pipeline Company (QPC) requesting a MNSR permit with federally enforceable air pollutant emission limits for the existing Fidler Compressor Station. Randy Brown has a copy of this letter.

Stratospheric Ozone Exceptional Event

Regional contact: Richard Payton

Subject area for consultation: Regulations or rules

Tribe/Tribes to be consulted: Ute Indian Tribe

Timeframe for consultation: Minnie Grant, staff member at the Ute Indian Tribe’s Energy, Minerals and Air Office, is presenting to the Tribe’s Board on August 23, 2016 with the purpose of requesting the Tribe to officially and in writing give permission to the EPA to publish the stratospheric ozone draft Exceptional Event demonstration for a 30 day public comment period. The demonstration must be received for review by the EPA by October 1, 2016, after the 30 day public comment period has closed.

Other pertinent information: EPA’s Richard Payton wrote the demonstration on behalf of the Tribe. The timeline for public comment on an event that occurred under the previous Exceptional Event Rule is very tight, but under the revised Exceptional Event Rule the timeline is much less strict. It is unclear whether this project would rise to the formal level requiring entry into the Tribal Consultation Opportunities Tracking System.

U&O Federal Implementation Plan (FIP)

Regional contact: Claudia Smith

Subject area for consultation: Regulations or rules

Tribe/Tribes to be consulted: Ute Indian Tribe

Timeframe for consultation: EPA Region 8 management and staff have been coordinating with the Tribe for over a year at this point.

Other pertinent information: Unclear whether this is already formally considered a Tribal Consultation and therefor already entered into the Tribal Consultation Opportunities Tracking System.

Thanks,

Kyle Olson

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From: Videtich, Callie

Sent: Wednesday, August 10, 2016 1:54 PM

To: Morlock, Nancy <morlock.nancy@epa.gov>; Pearson, Janice <pearson.janice@epa.gov>; Wood, MelanieL <Wood.MelanieL@epa.gov>; Morales, Monica <Morales.Monica@epa.gov>; Bahrman, Sarah <Bahrman.Sarah@epa.gov>

Cc: Huff, Blake <Huff.Blake@epa.gov>

Subject: Upcoming consultations

Greetings.

I meant to bring this up at yesterday's Managers meeting but forgot.

Semi-annually, Regions are asked to provide HQ with our projections for upcoming tribal consultations. Alfreda, as the tribal advisor and consultation lead for the Region, has coordinated this ask in the past. Until a new advisor is selected and in place we are coordinating consultation issues/reporting in TAP.

The *EPA Policy on Consultation and Coordination with Indian Tribes (Policy)* directs each national and regional office to prepare a semi-annual projection of upcoming consultation opportunities. Projections are due on October 1st and April 1st each year. These projections include both ongoing consultations and consultations expected to commence in the next six months. This semi-annual projection provides tribes and other interested parties with an early notice about EPA intentions to consult on specific issues that may be of interest to tribal governments. The projections also provide an opportunity within the Agency to effectively coordinate consultation efforts across EPA.

By 9/23/16 please provide me and copy Blake Huff with your Program's projected tribal consultations (do not include consultations that originate with HQ those will be coordinated by the lead HQ office). We will load the information into the Tribal Consultation Opportunities Tracking System by October 1st.

Please provide:

Regional contact

Subject area for consultation

Tribe/Tribes to be consulted

Timeframe for consultation

Other pertinent information

In addition, HQ is looking for success stories where EPA's proposed actions/decisions were changed as a direct result of consultation with the tribe(s). If you have a success story please provide a few lines that we can Thank you in advance for providing this data in a timely manner. This information is used in the Administrator's speeches and is provided to OMB as part of an annual consultation progress report.

Thanks for your assistance.

Callie Videtich, Director

Tribal Assistance Program

Region 8

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